

S/N 10/509,696

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	NIELSEN ET AL.	Examiner:	UNKNOWN
Serial No.:	10/509,696	Group Art Unit:	2828
Filed:	AUGUST 30, 2005	Docket No.:	9663.74USWO
Title:	LASER SYSTEM		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop PCT, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 on Aug 31, 2006.

By:

Name: Jo Ann Mattson

SUPPLEMENTAL PETITION UNDER 37 C.F.R. §1.47(a)

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is a Supplemental Petition Under 37 C.F.R. §1.47(a). This Supplemental Petition is in response to the Decision on Petition mailed on March 3, 2006, and supplements the petition mailed to the United States Patent and Trademark Office on August 12, 2005. The entire petition mailed to the United States Patent and Trademark Office on August 12, 2005 is incorporated herein by reference.

In accordance with the provisions of 37 C.F.R. §1.47(a), applicant petitions to have the present application perfected by the Declaration of Inventorship of Niels-Søren Bøgh on behalf of himself and on behalf of Martin Egede Nielsen, a joint inventor who refuses to sign the declaration.

The Following Documents are Enclosed:

Exhibit AA: Danish language copy and English language translation of a letter from Susanne Hamberg to Martin Egede Nielsen dated 21 June 2006. The letter clearly states that

copies of the patent application, the declaration, and the assignment accompany the letter to Martin Egede Nielsen.

Exhibit BB: Danish language copy and English language translation of a letter from Martin E. Nielsen to Susanne Hamberg dated June 28, 2006 and received July 4, 2006. Martin E. Nielsen acknowledges receipt of the letter from Susanne Hamberg and refuses to sign the documents.

Exhibit CC: Danish language copy and English language translation of a letter from Holm Schwarze to Martin Egede Nielsen responding to Martin E. Nielsen's letter dated June 28, 2006, confirming the inventorship of the patent application, and requesting execution of the assignment and declaration documents. The letter dated August 16, 2006 provides copies of the assignment and declaration documents.

Exhibit DD: Copy of post office receipt of the letter sent on August 16, 2006 by registered mail.

Remarks:

In view of a conversation between PCT Legal Examiner George Dombroske and the applicant's below-named representative on June 9, 2006, the Petition Under 37 C.F.R. §1.47(a) mailed on August 12, 2005 was refused on the grounds that the letter to Mr. Nielsen did not state that a complete copy of the application and declaration was presented to Mr. Nielsen. In view of the attached exhibits, it is clear that copies of the complete application and the declaration were presented to Martin Egede Nielsen by the letter dated June 21, 2006 (Exhibit AA) and that he refused to sign the declaration in view of Mr. Nielsen's statements in his letter dated June 28, 2006 (Exhibit BB). It is submitted that the reasons expressed by Mr. Nielsen for refusing to sign the declaration and assignment are irrelevant. The fact is that he refused to sign, and the applicant has filed this petition under the provisions of 37 C.F.R. §1.47(a) in order to proceed with the above-identified patent application.

The last known address of Martin Egede Nielsen is:

Martin Egede Nielsen
Olfert Fischersgade 5, 4. th.
9000 Alborg

The letter that was sent to Martin Egede Nielsen on June 24, 2006 relied upon the above address and was received by Mr. Nielsen.

It is understood from the Decision on Petition mailed on March 3, 2006 that no further petition fee is required.

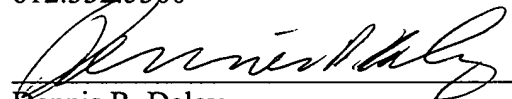
Applicant, therefore, again petitions for entry of the declaration accompanying the petition mailed on August 12, 2005 as the declaration of inventorship by the joint inventors.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
612.332.5300

Date:

August 21, 2006



Dennis R. Daley
Reg. No. 34,994
DRD:jm



Martin Egede Nielsen
Olfert Fischersgade 5, 4.th.
9000 Ålborg

R.

ANBEFALET

Dato 21. juni 2006
Deres ref.
Vores ref. P200200531 US HSC/SHA

COPY

Patentsøgning i USA nr. 10/509696
Laser system
Esko-Graphics A/S

Kære Martin Egede Nielsen

I forbindelse med indlevering af ovennævnte ansøgning i USA, hvor De og Niels-Søren Bøgh er anført som opfindere skal der indleveres en kombineret opfindererklæring/fuldmagt og overdragelse af patentrettighederne til Esko-Graphics A/S til den amerikanske patentmyndighed. Niels-Søren Bøgh har allerede underskrevet disse erklæringer og vi beder Dem derfor venligst returnere dokumenterne til os underskrevet som anført snarest muligt og inden **den 21.juli 2006.**

Vi vedlægger endvidere en komplet kopi af ovennævnte ansøgning (beskrivelse, krav og tegninger). De bedes venligst gennemlæse kopien af ansøgningen og dokumenterne inden underskriften.

Som De vil bemærke, at det Deres tidligere adresse: Svendsgade 5A, 9000 Ålborg, der er anført på dokumenterne. Såfremt adressen anført øverst i dette brev er Deres nuværende adresse er De velkommen til at rette angivelsen på dokumenterne.

Vi ser frem til at modtage dokumenterne retur i underskrevet stand. På forhånd tak for hjælpen.

Venlig hilsen
Zacco Denmark A/S

Susanne Hamberg
Direkte tlf.: 39 48 81 11
E-mail: sha@zacco.dk

TRANSLATION

Martin Egede Nielsen
Olfert Fischersgade 5, 4. th
DK-9000 Ålborg

BY REGISTERED MAIL

Date 21 June 2006
Your ref.
Our ref. P200200531 US HSC/SHA

US patent application No. 10/509696
Laser system
Esko-Graphics A/S

Dear Martin Egede Nielsen

In connection with the filing of the above-mentioned application in the USA, where you and Niels-Søren Bøgh are listed as inventors, a combined inventor statement/power of attorney and an assignment of the patent rights to Esko-Graphics A/S are to be filed with the US patent authority. Niels-Søren Bøgh has already signed the declarations and we therefore request you to kindly return the documents to us, duly signed as indicated, as soon as possible and before **21 July 2006**.

We also enclose a complete copy of the above application (description, claims and drawings). Please read through the copy of the application and the documents prior to signing.

As you will note, it is your previous address: Svendsgade 5A, DK-9000 Ålborg, which is given in the documents. If the address given at the top of this letter is your current address, please feel free to correct the information in the documents.

We look forward to receiving the duly signed documents. Thank you in advance for your assistance.

Yours sincerely
Zacco Denmark A/S
Susanne Hamberg
Direct phone: 39 48 81 11
E-mail: sha@zacco.dk

COPY

EXHIBIT BB

Aalborg d. 28/6-06

RECEIVED

- 4 JULI 2006

Zacco Denmark A/S

Zacco Denmark A/S

Att.: Susanne Hamburg

Vedr.: Patentansøgning i USA nr. 10/509696.

Af holistiske hensyn må jeg bemærke
at anmeldte device er udviklet af
flg. gruppe:

Niels Saun Bøgh

Mingjun Chi

Paul Michael Petersen

Eva Samsøe

Bjarne Sass

Martin E. Nielsen

Birgitte Thustrup

m.fl.

Når dette tydeligt fremgår af dokumenterne,
overdrager jeg gerne mine påståede/duttede
patentrettigheder til enhver fredelig trægende.
Som ethvert andet forholdsvis anstændigt
menneske.

Og så lige en ting mere:

don't ask why!

Med venlig hilsen

11. 6. 06 11/1

TRANSLATION

Stamped (COPY)

Aalborg 28 June 06
(*Stamped: RECEIVED*)
04 July 2006
Zacco Denmark A/S)

Zacco Denmark A/S
Att: Susanne Hamberg
Conc: US patent application No. 10/509696

For holistic reasons, I must note that the device subject to application was developed by the following group:

Niels Søren Bøgh
Mingjun Chi
Paul Michael Petersen
Eva Samsøe
Bjarne Sass
Martin E. Nielsen
Birgitte Thistrup
et al.

When this appears clearly from the documents, I shall be pleased to assign my alleged/foisted-on patent rights to any peaceful needy party. Like any other comparatively decent human being.

And then just one more thing:
don't ask why!

Yours sincerely
Martin E. Nielsen

Martin Egede Nielsen
Olfert Fischersgade 5, 4. th.
9000 Ålborg

ANBEFALET

Dato 16. august 2006
Deres ref.
Vores ref. P200200531 US HSC -/HHA

Patentansøgning i USA nr. 10/509,696
Laser system
Esko-Graphics A/S

Kære Martin Egede Nielsen

Som svar på Deres brev 28. juni 2006 og i forlængelse af vores brev af 21. juni 2006 er det naturligvis rigtigt, at der har været flere personer involveret i forskellige aspekter af udviklingen af produktet.

Den konkrete opfindelse, som søges patenteret i henhold til ovennævnte patentansøgning, er ganske vist gjort i forbindelse med udviklingen af produktet, men opfindelsen er i h.t. Esko-Graphics' vurdering kun blevet lavet af de to personer, som er anført på dokumenterne.

Vi beder Dem derfor endnu engang venligst returnere følgende vedlagte dokumenter til os:

- Overdragelseerklæring (Assignment)
- Opfindererklæring/fuldmagt (Declaration).

Det bemærkes, at et sæt dokumenter svarende til det vedlagte allerede er blevet underskrevet af medopfinder Niels-Søren Bøgh.

Vi vedlægger endvidere en komplet kopi af ansøgningsteksten (beskrivelse, krav og tegninger) til ovennævnte ansøgning. Vi beder Dem gennemlæse ansøgningsteksten og de vedlagte dokumenter inden De skriver under.

Som De vil bemærke, er det Deres tidligere adresse, som er anført på dokumenterne. De er velkommen til at rette Deres gl. adresse - med håndskrift – til Deres nuværende adresse og påføre Deres initialer og dato ud for rettelsen.

Vi beder Dem om at returnere vedlagte dokumenter til os i underskreven stand senest d. 20. august 2006.

Vi ser frem til at høre fra Dem og takker på forhånd for Deres hjælp.

Venlig hilsen
Zacco Denmark A/S



Holm Schwarze
Direkte telefon: 39 48 81 61
E-mail: hsc@zacco.dk

TRANSLATION

Martin Egede Nielsen
Olfert Fischersgade 5, 4. th
DK-9000 Ålborg

BY REGISTERED MAIL

Date 16 August 2006
Your ref.
Our ref. P200200531 US HSC/SHA

US patent application No. 10/509,696
Laser system
Esko-Graphics A/S

Dear Martin Egede Nielsen

In response to your letter dated 28 June 2006 and further to our letter dated 21 June 2006 it is, of course, correct that several persons were involved in various aspects of the development of the product.

Albeit the concrete invention concerned by the patent application mentioned above was made in connection with the development of the product, the invention was, pursuant to Esko-Graphic's view on the case, made exclusively by the two persons listed in the documents.

Therefore, we once again ask you to kindly return the following enclosed documents to us:

- Declaration of Assignment (Assignment)
- Declaration of inventor/power of attorney (Declaration).

It should be noted that a set of documents corresponding to the enclosed has already been signed by co-inventor Niels-Søren Bøgh.

We also enclose a complete copy of the application text (description, claims and drawings) to said application. Please read through the application text and the enclosed documents prior to signing.

As you will note, it is your previous address which is given in the documents. Please feel free to correct your former address – in hand writing – into your current address and sign with your initials and the date next to the correction.

We ask you to kindly return the enclosed documents to us, duly signed, no later than 20 August 2006.

We look forward to hearing from you and thank you in advance for your assistance.

Yours sincerely
Zacco Denmark A/S
Holm Schwarze
Direct phone: 39 48 81 61
E-mail: hsc@zacco.dk



Postkvittering Indleveringsattest

Modtager

Martin Bogede Nielsen
 Østergade 5
 9000 Alaby

Afsender

Indleveringsattest

Attest for indlevering af et ☐ Almindeligt brev ☐ Postopkrævningsbrev

Der ydes ingen erstatning i forbindelse med bortkomst, beskadigelse eller manglende indhold.

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Underskrift

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